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Counsel for Plaintiff

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

DAVID REILLY, INDIVIDUALLY AND ON  
BEHALF OF ALL OTHERS SIMILARLY  
SITUATED,

Plaintiff,

v.

ABEONA THERAPEUTICS INC. f/k/a/  
PLASMATECH BIOPHARMACEUTICALS,  
INC., STEVEN H. ROUHANDEH, and  
STEPHEN B. THOMPSON

Defendants.

Case No. 1:16-cv-09730-PAE

**NOTICE OF VOLUNTARY DISMISSAL  
PURSUANT TO FED. R. CIV. P.  
41(a)(1)(A)(i)**

PLEASE TAKE NOTICE that Plaintiff David Reilly files this notice of voluntary dismissal pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i). Defendants have not filed an Answer or moved for summary judgment. A class has not been certified. Plaintiff has not previously dismissed an action based on or including the same claims as presented in this instant action. This dismissal is without prejudice.

Dated: February 14, 2017

Respectfully submitted,

**THE ROSEN LAW FIRM, P.A.**

By: /s/ Phillip Kim  
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Counsel for Plaintiff

2/14/17

**SO ORDERED:**

Paul A. Engelmayer  
**HON. PAUL A. ENGELMAYER**  
**UNITED STATES DISTRICT JUDGE**